

**FILED****MAR 20 2007****CLERK, U.S. DISTRICT COURT**  
By \_\_\_\_\_ Deputy

UNITED STATES OF AMERICA

v.

RICK BLANKENSHIP

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2:04-CR-0032 (01)

**ORDER OVERRULING OBJECTIONS,**  
**ADOPTING REPORT AND RECOMMENDATION, and**  
**DENYING MOTION TO VACATE, SET ASIDE OR CORRECT SENTENCE**

Came for consideration the motion to vacate, set aside or correct sentence by a person in federal custody filed by defendant RICK BLANKENSHIP. On March 7, 2007, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the instant motion be denied. On March 19, 2007, defendant filed timely objections to the Report and Recommendation.

Having made an independent examination of the record in this case and having examined the Report and Recommendation of the Magistrate Judge, the undersigned United States District Judge hereby OVERRULES defendant's objections, and ADOPTS the Magistrate Judge's Report and Recommendation. Accordingly, the motion to vacate, set aside or correct sentence filed by defendant is, in all things, DENIED.

IT IS SO ORDERED.

ENTERED this 20<sup>th</sup> day of March 2007.



MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE